IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Application No.997 of 2007

Mohammed Iqbal Bakkar — Applicant
Vs.
Tahir Turki & anr. — Respondents

Mr.Girish Kulkarni for applicant.
Mr.A.S.Shitole, APP for State.

CORAM: B.H.MARLAPALLE, J.

August 9, 2007.

P.C.

. Heard the learned counsel for the applicant - accused in CC No.111/2004 filed before the learned Judicial Magistrate, First Class at Khed. The said complaint is filed for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881 on account of dishonour of cheque in the sum of Rs.3,50,000/-. In the said case the applicant-accused submitted an application praying for dismissal of the complaint on the ground that the learned Judicial Magistrate, First Class at Khed did not have the jurisdiction and this application came to be rejected by the learned Magistrate vide his order dated 21/2/2007. Hence this petition.

. Undoubtedly the petitioner has an equally

efficacious alternative remedy of filing a revision application under Section 397 of Cr.P.C. before the Sessions Court at Pune. Hence the application is disposed with liberty to approach the Sessions Court and if a revision application is filed before the said Court within a period of three weeks from today, the period of pendency of this application from 21st March 2007 till today shall be taken into consideration for condonation of delay, if any.

(B.H.MARL